

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

ALICE N. JENKINS

Claim No. CU-8553

Decision No. CU - 6795

Under the International Claims Settlement
Act of 1949, as amended

FINAL DECISION

The Commission issued its Proposed Decision on this claim on September 1, 1971, certifying that claimant suffered a loss of \$4,978.56 on the basis of her ownership of 100 shares of stock in the Guantanamo Sugar Company.

Additionally, the Proposed Decision states, based on claimant's inquiry of July 31, 1971, that a portion of the claim is based upon the loss of a stock interest in the Compania Azucarera Vertientes-Camaguey de Cuba, but that no evidence has been submitted in support of this item, and the same was therefore denied. Claimant then observed that she has submitted a separate claim No. CU-5579 for the Vertientes stock and that the Commission certified a loss in that claim by Proposed Decision No. CU-3877 dated September 24, 1969.

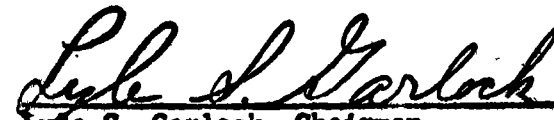
An examination of the claim No. CU-5579 discloses that the Compania Azucarera Vertientes-Camaguey de Cuba, represented by Shapiro, Fried & Weil, attorneys-at-law of Miami Beach, Florida, submitted a list of their stockholders in whose behalf claims were asserted. Among the stockholders was also ALICE JENKINS and the Commission certified by the aforesaid Proposed Decision a loss of \$4,639.46 based upon claimant's ownership of 100 shares of stock in the Compania Azucarera Vertientes-Camaguey de Cuba.

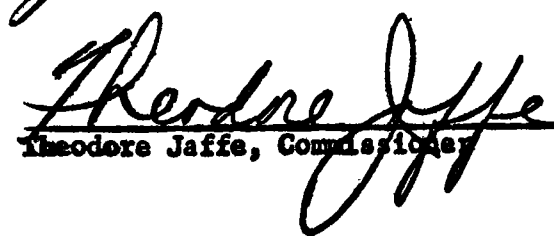
In view of the foregoing, the Proposed Decision of September 1, 1971 in the instant claim is modified to the effect that the portion of the claim based upon the loss of the Vertientes stock cannot be considered again, since it has been finally determined by the Proposed Decision of September 24, 1969 in Claim No. CU-5579.

Accordingly, the Proposed Decision of September 1, 1971, as modified herein, is affirmed and as modified entered as the Final Decision in this claim.

Dated at Washington, D. C.
and entered as the Final
Decision of the Commission

SEP 28 1971


Lyle S. Garlock, Chairman


Theodore Jaffe, Commissioner

CU-8553

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PROPOSED DECISION

Claimant, ALICE N. JENKINS, who owned a stock interest in Guantanamo Sugar Company, asserts a claim under Title V of the International Claims Settlement Act of 1949, as amended, against the Government of Cuba because of its nationalization of said Company.

In our decision entitled the Claim of Henrietta Mae Siegel (Claim No. CU-3478 which we incorporate herein by reference), we held that the properties owned by the Company were nationalized or otherwise taken by the Government of Cuba on August 6, 1960, and that this type of claim is compensable to an American national under the facts and conditions set forth therein. We need not again detail here the reasons or the method used in determining the value per share of \$49.7856.


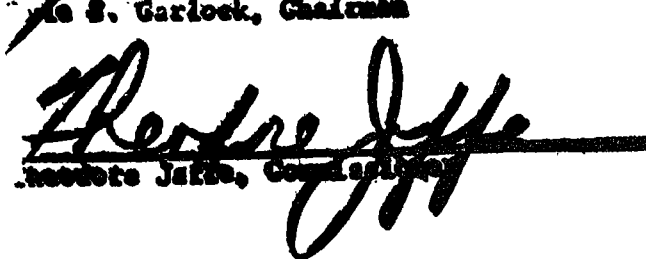
On the basis of evidence in the record in the instant case, the Commission finds that this claimant comes within the terms of the Siegel decision; that she and her now deceased brother Gunnard Sanstrum were American nationals at the requisite times; that the brother was the owner of 100 shares of stock in the Guantanamo Sugar Company since prior to August 6, 1960; that upon his death claimant inherited the stock; and that she suffered a loss in the amount of \$4,978.56 within the meaning of Title V of the Act. Further, the Commission finds that the amount of loss sustained shall be increased by interest thereon at the rate of 6% per annum from August 6, 1960, the date of loss, to the date on which provisions are made for the settlement thereof. (See Siegel, supra.)

A claim is also asserted based upon the loss of a stock interest in the Cia. Azucarera Vertientes-Camaguey de Cuba, but no evidence has been submitted in support of this portion of the claim, and the same is therefore denied.

CERTIFICATION OF LOSS

The Commission certifies that ALICE N. JENKINS suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Four Thousand Nine Hundred Seventy-Eight Dollars and Fifty-Six Cents (\$4,978.56) with interest at 6% per annum from August 6, 1960 to the date of settlement. Dated at Washington, D.C., and entered as the Proposed Decision of the Commission

SEP 1 1971


Paul S. Garlock, Chairman

Theodore Jaffe, Commissioner

NOTICE TO TREASURY: The above-referenced securities may not have been submitted to the Commission or if submitted, may have been returned; accordingly, no payment should be made until claimant establishes retention of the securities or the loss here certified.

The statute does not provide for the payment of claims against the Government of Cuba. Provision is only made for the determination by the Commission of the validity and amounts of such claims. Section 501 of the statute specifically precludes any authorization for appropriations for payment of these claims. The Commission is required to certify its findings to the Secretary of State for possible use in future negotiations with the Government of Cuba.

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice of this Proposed Decision, the decision will be entered as the Final Decision of the Commission upon the expiration of 30 days after such service or receipt of notice, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 531.5(e) and (g), as amended (1970).)